

REMARKS

Claims 13, 16, 17, 20 to 22 and 26 to 28 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,625,657 to Gallacher (hereinafter “Gallacher”). Claims 18, 19, 24, 25, 29 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gallacher.

Claims 13, 17, 20 and 26 have been amended to more clearly and particularly define the invention. Claims 31 to 34 have been added.

Reconsideration of the application based on the foregoing amendments and the following remarks is respectfully requested.

Interview Summary

Applicant’s representative William Gehris (Reg. No. 38,156) and Examiner Palabrica conducted a telephonic interview on November 9, 2009, and Applicant’s representative thanks Examiner Palabrica for his careful analysis and comments. Examiner Palabrica suggested amending the claims to recite “directly secured” to overcome the rejections of Gallacher. Examiner Palabrica also mentioned “arrangement” of claim 17 does not clearly define a structure. Applicant’s representative has amended claims 13, 17, 20 and 26 to more clearly define the structure in response to the Examiner’s suggestions.

35 U.S.C. §102 Rejections

Claims 13, 16, 17, 20 to 22 and 26 to 28 were rejected under 35 U.S.C. §102(b) as being anticipated by Gallacher.

Gallacher discloses a method for repairing a nuclear fuel rod assembly with a damaged fuel rod and/or a damaged spacer. The “nuclear fuel rod assembly [has] a plurality of spaced apart grid spacers comprising an arrangement of a first plurality of grid strips intersecting each other to form a first plurality of spacer cells through which fuel rods extend for maintaining the fuel rods in a predetermined position within said assembly, an upper tie plate located at the top of said assembly, and a grid spacer having a damaged spacer cell.” (Col. 2, lines 29 to 36).

Independent claims 13, 20 and 26 are hereby amended to recite in part “the lattice reinforcing device being disposed between two spacer grids and being directly secured to the guide tubes.”

Gallacher fails to teach or show “the lattice reinforcing device being disposed between two spacer grids and being directly secured to the guide tubes,” as required by claims 13, 20 and 26. Repair grid 50 and guide tubes of Gallacher are not directly secured.

Therefore, since Gallacher also does not teach or disclose “the lattice reinforcing device being disposed between two spacer grids and being directly secured to the guide tubes,” as specifically claimed, Gallacher does not teach all limitations of claims 13, 20 and 26 and cannot anticipate claims 13, 20 and 26.

Withdrawal of the rejection of independent claims 13, 20 and 26 and dependent claims 16, 17, 21, 22, 27 and 28 under 35 U.S.C. §102(b) is respectfully requested.

#### 35 U.S.C. §103 Rejections

Claims 18, 19, 24, 25, 29 and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gallacher.

Claims 18, 19, 24, 25, 29 and 30 are dependent on claims 13, 20 and 26. Thus, in light of the discussion above regarding the independent base claims, withdrawal of the rejection of claims 18, 19, 24, 25, 29 and 30 is respectfully requested.

#### New Claims

Claims 31 to 34 have been added. Support for claim 31 can be found in the Substitute Specification on page 8, lines 19 to 20, for example. Support for claims 32 and 33 can be found in the Substitute Specification on page 11, lines 4 to 6, for example. Support for claim 34 can be found in Fig. 2, Fig. 3 and Fig. 7, for example.

It is respectfully submitted that these claims are patentable.

Application No. 10/574,258  
Response to Final Office Action dated August 19, 2009

[12928/10027; 569.1012]  
November 17, 2009

**CONCLUSION**

It is respectfully submitted that the application is in condition for allowance and applicants respectfully request such action.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

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By: \_\_\_\_\_

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DATED: November 17, 2009

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